

Mail Stop Interference
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Paper 64
Filed: June 24, 2010

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

THE UNIVERSITY OF MELBOURNE
Junior Party
(U.S. Patent Application 11/856,949),

v.

WARNER-LAMBERT COMPANY, LLC
Senior Party
(U.S. Patent 7,108,852).

Patent Interference No. 105,739 (MPT)
(Technology Center 1600)

REDECLARATION – Bd. R. 203(c)

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3 The Board's Decision on Motions (Paper 63) granted Melbourne Motion 4
4 to substitute a count. The Decision substituted new Count 2 for original Count 1,
5 the parties' claim correspondence and § 102(g) accorded priority benefit however,
6 remain unchanged and are set forth below.

Count 2

A method of treating rheumatoid arthritis in a mammal comprising administering to said mammal an effective amount of an antibody to an M-CSF to ameliorate the rheumatoid arthritis.

The claims of the parties are:

Warner-Lambert '852: 1-7
U. of Melbourne '949: 29-37

The claims of the parties which correspond to Count 1 are:

Warner-Lambert '852: 1-7
U. of Melbourne '949: 29-37

The claims of the parties which do not correspond to Count 1, and therefore are not involved in the interference, are:

Warner-Lambert '852: None
U. of Melbourne '949: None

The parties are accorded the following benefit for Count 1:

Warner-Lambert is accorded benefit of the filing date of the earlier filed application:

U.S. Provisional Application 60/190,842, filed March 20, 2000.

The University of Melbourne is accorded benefit of the filing date of the earlier filed applications:

- i) U.S. Application 09/851,230, filed May 8, 2001, now U.S. Patent No. 7,455,836;
- iv) U.S. Provisional Application 60/202,392, filed May 8, 2000.

/Michael P. Tierney/
Administrative Patent Judge

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